THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.23464 OF 2005

Dt.2.11.2005

Between:

Gopu Sudhakar Reddy … Petitioner

And

The Superintendent of Police, Nalgonda,

Nalgonda District and two others. … Respondents

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Home.

The petitioner submits that he is the owner and possessor of land admeasuring Ac.1.02 guntas situated in Sy.No.353/AA of Mattampaly Revenue Village, Mattampally Mandal, Nalgonda District by virtue of partition of the joint family properties about ten years ago and also got mutated in the revenue records.

On a perusal of the affidavit filed by the petitioner goes to show that there is only oral partition and it is not known whether there was any legal partition among the joint family members. However, all these disputed questioned have to be decided in a Civil Court. The grievance of the petitioner is that though he got injunction order

prohibiting the 3rd respondent from interfering with his peaceful possession and enjoyment of the said property, the 3rd respondent, who was the adjacent owner of the land, trying to obstruct him from doing agricultural operations. The said property is bounded on East – Peda Vaagu, West – Field Channel (Kaluva), South – Land of Gopu Raja Reddy and on North – Land of Gopu Rayapu Reddy. Admittedly, the 3rd respondent is the wife of the brother of the petitioner and she also got share in the said joint family property. But the schedule of the property does not show the name of the 3rd respondent as adjacent owner. However, it is stated that the 2nd respondent is interfering with the civil dispute. Therefore, the petitioner submitted a representation on 5.9.2005 to the Superintendent of Police, Nalgonda, the first respondent herein, for taking appropriate action.

Having regard to the facts and circumstances of the case, the first respondent is directed to consider and dispose of the said representation made by the petitioner on 5.9.2005 and pass appropriate orders in accordance with law.

The writ petition is disposed of accordingly. No costs.

(V.ESWARAIAH, J.)

2.11.2005

Note: Issue c.c by tomorrow.

B.O.

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